

UNITED STATES DISTRICT COURT

DISTRICT OF OREGON

DAVID B. CLINE,

Plaintiff,

v.

COMMISSIONER, SOCIAL SECURITY
ADMINISTRATION

Defendant.

Civil No. 1:23-cv-01851-MC

ORDER FOR REMAND

Based on the stipulation of the parties, it is ORDERED that the Commissioner's decision in regard to Plaintiff's applications for a period of disability, disability insurance benefits, and supplemental security income under Titles II and XVI of the Social Security Act be REVERSED and REMANDED to the Commissioner of Social Security for further administrative proceedings. On remand, the Appeals Council will instruct the Administrative Law Judge to reevaluate the medical opinions and prior administrative medical findings; reevaluate Plaintiff's residual functional capacity; continue the sequential evaluation process as needed, to include obtaining vocational expert evidence, if warranted; offer Plaintiff an opportunity for a new hearing; take action to further develop the record, as necessary; and issue a new decision.

IT IS FURTHER ORDERED that the Clerk will enter judgment pursuant to this order.

This remand should be made pursuant to sentence four of 42 U.S.C. § 405(g) and Plaintiff should be entitled to reasonable attorney fees and costs, pursuant to 28 U.S.C. § 2412(d), upon proper request to this Court.

IT IS SO ORDERED this 11th day of April, 2024.

s/Michael J. McShane
UNITED STATES DISTRICT JUDGE

Submitted by:

NATALIE K. WIGHT, OSB #035576
United States Attorney

KEVIN C. DANIELSON, OSB #065860
Executive Assistant U.S. Attorney

s/ Justin L. Martin
JUSTIN L. MARTIN
Special Assistant United States Attorney
of Attorneys for Defendant
(206) 615-3735